

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

DATE 2/23/2021

DISTRICT JUDGE
Amos L. Mazzant, III

COURT REPORTER: Jan Mason
COURTROOM DEPUTY: Keary Conrad

UNITED STATES OF AMERICA	
V.	CASE NUMBER 4:20-CR-107
ANITA MOODY	

ATTORNEY FOR GOVERNMENT	ATTORNEY FOR DEFENDANT
Maureen Smith	John Claude Ginn

On this day, came the parties by their attorneys and the following proceedings were held in Sherman, TX:

TIME:	MINUTES: Sentencing
11:42 a.m.	Court in session. Court notes appearances. Court notes updated PSR. Parties have reviewed PSR. Defendant acknowledges she fully understands the PSR. No additions, corrections, or comments by the Government. No additions, corrections, or comments by counsel for the Defendant. No objections by Government.
11:44 a.m.	Defendant's counsel notes that there were two objections but those have been resolved.
11:44 a.m.	Defendant's counsel argues for the Court to reconsider accepting the 11(c)(1)(C) agreement and notifies the Court of actions the Defendant has made in order to attempt to resolve restitution. Defendant's counsel notes the revised PSR (Dkt. #31) with the guideline range of 135-168 months.
11:48 a.m.	The Court rejects the 11(c)(1)(C) agreement. The Court notes the options for the Defendant.
11:48 a.m.	Defendant, Anita Moody is placed under oath. The Court proceeds with questioning regarding the rejection of the 11(c)(1)(C) plea agreement. Defendant advises she wants to proceed with her guilty plea and be sentenced as the Court sees fit.
11:50 a.m.	The Court notes Defendant pled guilty to Counts 1 and 2 of the Information charging her with Conspiracy to Commit Bank Fraud and Explosive Material – Malicious Damage to Federal Property pursuant to an 11(c)(1)(c) plea agreement. The Court, while rejecting the plea agreement is accepting the plea.
11:50 a.m.	TOL: 32, CHC II, Count 1: 135-168 months imprisonment. Court hears from Defendant's counsel regarding what the sentence should be.
11:54 a.m.	Court hears argument from the Government. The Government responds that §3553 factors are satisfied and warrant some type of departure or variance. Court notes meetings by Defendant with FLU unit and cooperation towards paying the restitution. Government counsel notes immediate acceptance of responsibility.
11:56 a.m.	Defendant allocuted.

11:58 a.m.	The Court grants a variance based on cooperation. The sentence imposed for a total term of 96 months imprisonment on each of Counts 1 and 2 of the Information, all to be served concurrently. The Court recommends to the Bureau of Prisons that the defendant receive appropriate mental health treatment and drug treatment while imprisoned. Court recommends the defendant participate in the Inmate Financial Responsibility Program at a rate determined by Bureau of Prisons staff in accordance with the requirements of the Inmate Financial Responsibility Program. Defendant shall pay restitution totaling \$11,136,241.82 . Fine waived, interest waived, special assessment of \$200. Supervised release of 5 years. All mandatory and special conditions were referenced as outlined in the PSR.
12:03 p.m.	Court will recommend the Defendant be designated to BOP Bryan, Texas, if appropriate.
12:03 p.m.	Rights of appeal addressed.
12:05 p.m.	Defendant ordered to report on April 9, 2021 at 2pm.

DAVID O'TOOLE, CLERK

BY: Kearny Conrad
Courtroom Deputy Clerk